

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Lexington County

Frank R. Addy, Jr., Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

JOSEPH RANDOLPH HENRY,

APPELLANT.

APPELLATE CASE NO. 2020-001404

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MOTION FOR AN EXTENSION TO FILE  
THE INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

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The undersigned counsel respectfully requests a thirty-day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed today.
2. Counsel filed the Brief of Petitioner in Cary Glenn Ryals v. The State with the Court of Appeals on April 14, 2021. Counsel filed the Brief of Petitioner in Jovan Mitchell v. The State with the Court of Appeals on March 29, 2021. Counsel filed the initial brief of appellant and designation of matter in The State v. Brandon Christopher Grayer with the Court of

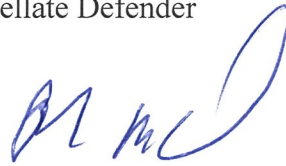
Appeals on March 15, 2021. Counsel filed the Return to Petition for Writ of Certiorari in Bryan J. Phillips v. State with the Supreme Court on March 5, 2021. Counsel makes this request in good faith and not for purpose of delay.

3. On April 29, 2021, opposing counsel, the Attorney General’s Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through May 31, 2021.

WHEREFORE, the undersigned counsel would respectfully request a thirty-day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/David Alexander  
Appellate Defender



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Robert M. Dudek  
Chief Appellate Defender

May 3, 2021.

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IN THE COURT OF APPEALS

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**May 03 2021**  
SC Court of Appeals

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Motion for an Extension to File the Initial Brief of Appellant and Designation of Matter in the above-referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 3rd day of May, 2021.

s/David Alexander  
Appellate Defender

ATTORNEY FOR APPELLANT